

**Amendments to the Claims:**

This listing of claims replaces all prior listings, and versions, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A method of operating a communication device in a mobile communications network, the device operating using a protocol having a physical layer, and at least an RRC (radio resource control) layer and an RLC (radio link control) layer of a UMTS system,[[,]] wherein the RRC layer is arranged to submit an SDU to the RLC layer for communication using the physical layer, the method comprising:

in response to a signal from said RLC layer, said signal being indicative of discard of said SDU:

causing said RRC layer to resubmit said SDU to said RLC layer a predetermined number N of times; and

in response to N further signals indicative of said discard, causing said RRC layer to submit to said RLC layer a CELL UPDATE message indicative of an unrecoverable error in said RLC layer for emission in response thereto.

2. (Original) A method according to claim 1, further comprising setting an operating mode wherein an acknowledgement of successful reception of said SDU is awaited.

3. (Original) A method according to claim 1, wherein  $N=0$ .

4. (Currently Amended) A method of operating a mobile communications network having at least one cell, said cell having at least one user communication device and at least one network control device for communicating with ~~the or~~ each user communication device, ~~the or~~ each user device operating using a protocol having a physical layer, and at least an RRC (radio resource control) layer and an RLC (radio link control) layer of a UMTS, wherein the RRC layer is arranged to submit an SDU to the RLC layer for communication using the physical layer, the method comprising

in response to a signal from said RLC layer, said signal being indicative of discard of said SDU, causing said RRC layer to resubmit said SDU to said RLC layer a predetermined number N of times;

and in response to N further signals indicative of said discard submitting by said RRC layer to said RLC layer of a CELL UPDATE message arranged to cause the network control device to emit for said user communication device a CELL UPDATE CONFIRM message arranged to cause said user device to reconfigure to a determined state.

5. (Original) A method according to claim 4, further comprising setting an operating mode wherein an acknowledgement of successful reception of said SDU is awaited.

6. (Original) A method according to claim 4, wherein  $N=0$ .

7. (Currently Amended) A method of operating a communication device in a mobile communications network, the device operating using a protocol having a physical layer, and at least an RRC (radio resource control) layer and an RLC (radio link control) layer of a UMTS,[[,]] wherein the RRC layer is arranged to submit an SDU to the RLC layer for communication using the physical layer, the method comprising: [[-

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in response to a signal from said RLC layer, said signal being indicative of discard of said SDU, causing said RRC layer to resubmit said SDU to said RLC layer a predetermined number N of times;

and in response to N further signals indicative of said discard, releasing the connection between peer layers at the said device and the said network and entering an idle mode.

8 (Original) A method according to claim 7, further comprising setting an operating mode wherein an acknowledgement of successful reception of said SDU is awaited.

9. (Original) A method according to claim 7, wherein  $N=0$ .

10-13. (Cancelled)